

MEMO ENDORSED

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April 20, 2021

BY ECF; EX PARTE

Hon. Nelson S. Román
United States District Judge
United States District Court, SDNY
300 Quarropas Street
White Plains, New York 10601

Re: United States v. James Gaines
Docket # 18 CR 205 (NSR) -01

Dear Judge Román,

As you know, James Bowen is scheduled to start trial before Your Honor on May 3, and my client, James Gaines, has been subpoenaed as a government witness. He intends to invoke his 5th Amendment privilege, and the resolution of that issue is before the Court as well, ECF # 101.

I have been involved with this issue since October 29, 2020, when the Government first contacted me about Mr. Gaines' testimony. I have had numerous telephone conferences with the government, defense counsel and my client regarding the issue since then, and have also had correspondence and reviewed the motions and orders in relation thereto.

I have been keeping the usual records of time expended, with the aim of submitting a supplemental CJA voucher after the Bowen trial. However, the CJA Clerks have advised my office that I can no longer submit a supplemental voucher, because too much time has elapsed since the final voucher.

I therefore respectfully request that the Court re-appoint me to represent Mr. Gaines, *nunc pro tunc* TO October 29, 2020, so that he may be properly represented at the upcoming trial when he must testify.

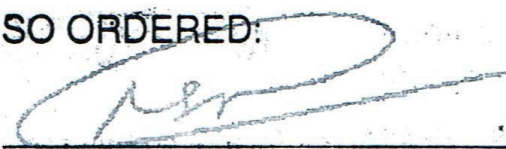
Thank you for your courtesy and consideration.

Respectfully yours,

JOHN S. WALLENSTEIN

The Court grants counsel's request for re-appointment as Deft. Gaines' CJA counsel *nunc pro tunc* to Oct. 29, 2020. Clerk of Court requested to terminate the motion (doc. 102).
Dated: April 22, 2021

SO ORDERED:


HON. NELSON S. ROMÁN
UNITED STATES DISTRICT JUDGE

